

DLA PIPER US LLP
1251 Avenue of the Americas
New York, NY 10020-1104
(212) 335-4500
Attorneys for Defendants
WYETH AND WYETH PHARMACEUTICALS INC.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/6/07

NOV 29 2007

CHIN'S CHAMBERS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SUSAN MARSA,

Plaintiff,

- against -

WYETH, WYETH PHARMACEUTICALS INC.,
WYETH-AYERST PHARMACEUTICALS, INC.,
WYETH PHARMACEUTICALS, PFIZER INC.,
PHARMACIA & UPJOHN, INC.,
PHARMACIA & UPJOHN COMPANY,
PHARMACIA & UPJOHN, LLC.,
PHARMACIA & UPJOHN COMPANY LLC. and
PHARMACIA CORPORATION,

Defendants.

Civil Action No. 07-CV-10542 (dc)

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties that this action is a product liability case in which Plaintiff alleges that she sustained injury as a result of her alleged ingestion of hormone replacement drugs. This case is one of many pending litigations that have been recognized as "hormone replacement therapy" cases. As such, this case will be identified as a "tag-along" case and included in the multidistrict litigation captioned, *In re Prempro Products Liability Litigation*, MDL Docket No. 4:03-cv-1507 WRW, pending in the Eastern District of Arkansas before the Honorable William R. Wilson, Jr.

(the "Prempro MDL"). We expect that this case will be transferred to the Prempro MDL shortly, as required by Rules 1.1, 7.4 and 7.5 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation.

IT IS FURTHER STIPULATED AND AGREED by and between the undersigned that the time for Defendants Wyeth and Wyeth Pharmaceuticals Inc.,¹ Pfizer Inc., Pharmacia & Upjohn Company LLC (d/k/a "Pharmacia & Upjohn Company") (incorrectly also named herein as "Pharmacia & Upjohn Company") Pharmacia & Upjohn LLC (d/k/a "Pharmacia & Upjohn Inc.") (incorrectly also named herein as "Pharmacia & Upjohn Inc.") and Pharmacia Corporation to move, answer or otherwise respond to Plaintiff's Complaint be and hereby extended until the transfer of this case to the Prempro MDL, where it will be answered under Practice and Procedure Orders Nos. 1 and 7.

¹ Plaintiff also names Wyeth-Ayerst Pharmaceuticals Inc. (incorrectly named as Wyeth-Ayerst Pharmaceuticals, Inc.) and Wyeth Pharmaceuticals. Wyeth-Ayerst Pharmaceuticals Inc. changed its name to Wyeth Pharmaceuticals Inc. on March 22, 2002. Wyeth Pharmaceuticals is a division of Wyeth.

11-27-'07 06:35 FROM-F & P


8453395825

T-742 P004/004 F-265


IT IS FURTHER STIPULATED AND AGREED A facsimile signature on this
Stipulation shall have the same force and effect as an original signature.

Dated: New York, New York
November 27, 2007


FINKELSTEIN & PARTNERS, LLP


Kenneth J. Brown, Esq.
436 Robinson Avenue
Newburgh, New York 12550
866-909-8678
Attorneys for Plaintiff

DLA PIPER US LLP



Heidi Levine, Esq.
Eric M. Falkenberg, Esq.
1251 Avenue of the Americas
New York, New York 10020-1104
212-333-4300
Attorneys for Defendants
Wyeth and Wyeth Pharmaceuticals Inc.

KAYE SCHOLER LLP


Alan E. Rothman, Esq.
425 Park Avenue
New York, New York 10022-3598

Attorneys for Defendants Pfizer Inc., Pharmacia and
Upjohn Company LLC (f/k/a "Pharmacia & Upjohn
Company") (incorrectly also named herein as
"Pharmacia & Upjohn Company") Pharmacia &
Upjohn LLC (f/k/a "Pharmacia & Upjohn Inc.")
(incorrectly also named herein as "Pharmacia &
Upjohn Inc.") and Pharmacia Corporation

SO ORDERED.


WDS
12/6/07